

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, February 21, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 38, Providing for a Joint Session of the House and Senate for the purpose of hearing an address by the Hon. James V. Allred,

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

TWENTY-SEVENTH DAY

(Friday, February 22, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Dunlap of Hays
Adamson	Dunlap of Kleberg
Adkins	Duvall
Aikin	Dwyer
Alexander	England
Alsup	Fain
Ash	Farmer
Atchison	Fisher
Beck	Fitzwater
Bergman	Ford
Bourne	Fox
Bradbury	Frazer
Bradford	Fuchs
Broyles	Gibson
Burton	Glass
Butler of Brazos	Good
Butler of Karnes	Graves
Caldwell	Greathouse
Canon	Hankamer
Celaya	Hardin
Clayton	Harris of Archer
Collins	Harris of Dallas
Colquitt	Hartzog
Colson	Head
Cooper	Herzik
Cowley	Hill
Craddock	Hodges
Crossley	Hofheinz
Daniel	Holland
Davis	Hoskins
Davison of Fisher	Howard
Davisson	Huddleston
of Eastland	Hunt
Dickison	Hunter
Dunagan	Hyder

Jackson	Payne
James	Petsch
Jefferson	Pope
Jones of Atascosa	Reader
Jones of Falls	Reed of Bowie
Jones of Runnels	Reed of Dallas
Jones of Shelby	Riddle
Jones of Wise	Roach of Angelina
Keefe	Roach of Hunt
King	Roane
Knetsch	Roark
Lanning	Roberts
Latham	Rogers
Leath	Russell
Lemens	Rutta
Leonard	Scarborough
Lindsey	Settle
Lotief	Shofner
Lucas	Spears
Luker	Stanfield
Mauritz	Steward
McCalla	Stinson
McConnell	Stovall
McFarland	Tarwater
McKinney	Tennyson
Moore	Venable
Morris	Walker
Morrison	Wells
Morse	Westfall
Newton	Wood of Harrison
Nicholson	Wood of Montague
Olsen	Worley
Padgett	Young
Palmer	Youngblood
Patterson	

Absent

Lange

Absent—Excused

Cagle	Quinn
Calvert	Smith
Gray	Thornton
McKee	Tillery
Moffett	Waggoner

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Smith for today, on motion of Mr. Youngblood.

Mr. McKee for today, on motion of Mr. Knetsch.

Mr. Gray for today, on motion of Mr. Olsen.

Mr. Quinn for today, on motion of Mr. Harris of Archer.

Mr. Thornton for today, on motion of Mr. Gibson.

Mr. Waggoner for today, on motion of Mr. Wood of Harrison.

The following members were granted leaves of absence on account of illness:

Mr. Moffett for today, on motion of Mr. Alexander.

Mr. Calvert for today, on motion of Mr. Roane.

Mr. Cagle for today on account of illness in his family, on motion of Mr. Jones of Falls.

Mr. Tillery for today on account of illness in his family, on motion of Mr. Roach of Angelina.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harris of Archer:

H. B. No. 589, A bill to be entitled "An Act to validate the purchase, pursuant to legislative enactment, of the property of any debtor or debtors at any sale under any proceedings in bankruptcy, receivership, or in any other judicial proceeding whatever, heretofore made by any county in this State whose population did not exceed 15,000, according to the last United States Census, and which had a claim or claims for money against any such person, partnership, corporation, joint stock, or other association, amounting to at least fifty per cent of all the claims against such debtor and where the commissioners court of any such county has deemed it necessary or advisable to so purchase said property to protect the interests of such county, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Tarwater, Mr. Adkins, Mr. Pope, and Mr. Alexander:

H. B. No. 590, A bill to be entitled "An Act regulating the sale of property at public sale; providing for equity of redemption thereof from such sale, and providing that property so sold shall be exempt from resale for any of the indebtedness which constitutes the basis of such sale; fixing a time within which property sold at public sale may be redeemed and the basis of redemption; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Jefferson:

H. B. No. 591, A bill to be entitled "An Act providing for the sale of State property purchased from funds appropriated to the State Game, Fish, and Oyster Commission; the manner therefor; the disposition to be made of the money from any such sale, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Lotief:

H. B. No. 592, A bill to be entitled "An Act amending Section 3 of Article 7047b of the Revised Civil Statutes of the State of Texas, of 1925, levying a tax upon the occupation of producing natural gas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cowley and Mr. Calvert:

H. B. No. 593, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county of not less than forty-three thousand (43,000) and not more than forty-three thousand and one hundred (43,100) inhabitants, according to the last Federal Census report; regulating the salary of said stenographer or clerk, providing for the payment of same, providing for his removal, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Craddock:

H. B. No. 594, A bill to be entitled "An Act amending Article 1379, Chapter 4, Title 17, Penal Code of Texas, 1925, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Fisher (by request):

H. B. No. 595, A bill to be entitled "An Act amending Sections 2 and 3 of Senate Bill No. 209, Chapter 220, Acts of the Regular Session of the Forty-third Legislature (said Section 2 amending Article 3891 of the Revised Civil Statutes of 1925, as amended, and said Section 3 amending Article 3902, Revised Civil Statutes of 1925, as amended), and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Farmer:

H. B. No. 596, A bill to be entitled "An Act creating an additional title to the Revised Civil Statutes of 1925, naming and numbering the title, and conferring upon the qualified voters of any city having over five thousand inhabitants, as shown by the last Federal Census, the right to propose and adopt at the polls measures concerning its municipal affairs, prescribing the enacting clause of such measures and the methods and manner of the exercise of such right, and certain duties of the city secretary and governing body of such city and the manner and time of the performance of these duties, and means of enforcement thereof, and prescribing the scope, with certain limitations of such rights, etc., and declaring an emergency."

Referred to Committee on Privileges, Suffrage, and Elections.

By Mr. Quinn, Mr. Graves, Mr. Fox, Mr. Adamson, Mr. Steward, Mr. Shofner, Mr. Rutta, Mr. Howard, Mr. Glass, Mr. Gibson, Mr. Thornton, Mr. Herzik, Mr. Holland, Mr. Spears, Mr. Frazer, Mr. Dickison, Mr. Lindsey, Mr. Leath, Mr. Fuchs, Mr. Lanning, Mr. Mauritz, and Mr. Keefe:

H. B. No. 597, A bill to be entitled "An Act to regulate the hours of service of the drivers of motor vehicles being operated by motorbus companies transporting passengers for hire and motor carriers transporting property for hire over the highways of this State; providing and making it unlawful for vehicles being operated and manned with only one driver either in the transportation of property or persons by virtue of certificates or permits issued by the Railroad Commission of Texas when a greater period of time than eight (8) hours is required to arrive at destination traveling at the rate of speed prescribed by law for the class of vehicle being operated, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Quinn:

H. B. No. 598, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the Acts of the Forty-second Legislature, levying a tax on natural gas, so as to change the tax provided for therein from a percentage levy to

a specific tax per volume of gas, and by adding another section requiring the installation of meters at the State line to gauge the quantity of gas imported into the State, to provide a penalty for failure to install meters, to repeal all laws or parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Holland, Mr. Morse, Mr. Hofheinz, Mr. McCalla, and Mr. Howard:

H. B. No. 599, A bill to be entitled "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal Census, upon petition of one hundred or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county for the question of whether or not a tax for school purposes not to exceed one cent on the one hundred dollars' valuation of taxable property in such counties shall be levied, assessed and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Cooper and Mr. Latham:

H. B. No. 600, A bill to be entitled "An Act prohibiting the setting of any steel trap, snare, or deadfall in Smith County for the purpose of taking any fur-bearing animals for a period of two years; repealing all laws, in so far as they conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Duvall (by request):

H. B. No. 601, A bill to be entitled "An Act making it unlawful for any person, firm, association, or corporation to pack for sale, sell, or offer for sale, wheat flour or other cereal flour and corn meal only in standardized packages; providing for the size and net weight of said packages; providing for the net weight, name of manufacturer and the name of the place

where milled to be printed on the outside of each package, and making it unlawful for wheat flour, other cereal flour and corn meal to be packed for sale, offered for sale, or sold within this State unless it shall be so labeled, etc., and declaring an emergency."

Referred to Committee on Commerce and Manufactures.

By Mr. Dickison, Mr. Spears, Mr. Reader, and Mr. Jefferson:

H. B. No. 602, A bill to be entitled "An Act to repeal the following articles and amendments thereto, of the Revised Civil Statutes of Texas of 1925, to wit: Article 1667, as amended by Acts of the Second Called Session, Forty-second Legislature, Chapter 38, page 62, as amended by Acts of the Forty-third Legislature, Chapter 140, page 364; also Articles 1668 and 1669; also Article 1670, as amended by Acts of the Forty-third Legislature, Chapter 175, paragraph 1, page 544; also Articles 1671 and 1672; also Article 1673, as amended by Acts of the Forty-third Legislature, Chapter 175, paragraph 2, page 544, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Butler of Brazos, Mr. Tillery, Mr. Roach of Angelina, Mr. Glass, and Mr. Scarborough:

H. B. No. 603, A bill to be entitled "An Act amending Article 7328, Revised Civil Statutes of 1925, as amended, Acts of 1927, Fortieth Legislature, First Called Session, providing for the purchase by the State in certain instances of lands sold for the payment of taxes; amending Article 2613, Revised Civil Statutes of 1925, withdrawing all forest lands from the market and providing for a system of State forest lands, the management and control thereof, and defining forest lands, etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Greathouse and Mr. Stanfield:

H. B. No. 604, A bill to be entitled "An Act prohibiting the planting and/or sowing of Bermuda grass roots and/or seeds on the highways of this State or lateral roads of any county in this State, except under certain conditions; providing for penalties

therefor, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Howard:

H. B. No. 605, A bill to be entitled "An Act to amend Title 79, Revised Statutes of the State of Texas, 1925, by adding thereto an article, providing that all contracts stipulating for a rate of interest which exceeds, or may exceed, ten per cent per annum only in the event of or by reason of default or breach on the part of the debtor, are and shall be valid and enforceable for the principal sum, together with earned interest, at the rate specified in the contract, and providing that no interest in excess of ten per cent per annum may be recovered, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Padgett:

H. B. No. 606, A bill to be entitled "An Act to amend Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, providing for the appointment of county auditors in certain counties of Texas, and providing for their salaries and the method of payment of same, etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Bergman:

H. B. No. 607, A bill to be entitled "An Act providing relief for the Centralia Common School District No. 35 of Trinity County, Texas, in order to aid said school district in rebuilding its properties and equipping its school which was destroyed by cyclone which struck the community of Centralia on the seventh day of February, 1935; providing for work relief; making an appropriation to said district for said property, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Nicholson:

H. B. No. 608, A bill to be entitled "An Act to amend Section 10 of Chapter 42 of the Acts of the Forty-third Legislature, Regular Session, pages 49-50, amending Section 10 of

Chapter 42, with reference to the salary to be paid the deputy clerk of the County Court at Law of Jefferson County; providing that if any part of this Act be declared invalid the remainder of the Act shall not be affected, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Stovall and Mr. Venable:

H. B. No. 609, A bill to be entitled "An Act amending Articles 697 and 698 of the 1925 Revised Criminal Statutes of Texas, by providing that it shall be the duty of the Attorney General to prosecute all violations under said articles either for the penal offense committed or to prevent the violations of same by the writ of injunctions, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Spears, Mr. Burton, and Mr. Jones of Wise:

H. B. No. 610, A bill to be entitled "An Act amending Articles 815 and 816 of the Revised Code of Criminal Procedure of Texas, 1925, providing for the granting and giving of bail in all criminal cases of the grade of felony, leaving the question of bail pending appeal discretionary with the trial judge, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Lucas:

H. B. No. 611, A bill to be entitled "An Act to create a Board of Parole and Pardons; to provide for their appointment, their term of office, their duties and their compensation; to provide for clerical help and for probation and parole officers and for their compensation and for expense of travel, printing, equipment, and other facilities necessary for the proper carrying out of the work of the Board of Parole and Pardons, of the probation-parole officers, and of all clerical help; to provide for the impeachment and removal of any member of the said board, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Stovall, Mr. Wells, Mr. Morrison, Mr. Collins, Mr. Bourne, and Mr. Venable:

H. B. No. 612, A bill to be entitled "An Act making an emergency appropriation of six thousand dollars (\$6,000) for making investigations, inspections, and reports on levee and drainage districts and contingent to be used by the State Reclamation Department, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Fox:

H. B. No. 613, A bill to be entitled "An Act amending Article 4669 of the Revised Civil Statutes of Texas for 1925, providing for the issuance of an injunction to prevent, prohibit, or restrain the violation of any revenue law or any criminal statute of the State, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bradford:

H. B. No. 614, A bill to be entitled "An Act to provide for the renewal and extension of oil and gas permit No. 11,752 on a portion of the Pecos River bed, providing for the placing of all income therefrom, and for all income from oil and gas development from river beds in Texas, in the Permanent School Fund, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Bradford:

H. B. No. 615, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any wild quail of any species for a period of three (3) years in Ector County, Texas; fixing penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Jones of Wise:

H. B. No. 616, A bill to be entitled "An Act amending Article 23, Title 1, Chapter 1, of the Code of Criminal Procedure of Texas, 1925; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 617, A bill to be entitled "An Act amending Article 677, Title

8, Chapter 5, of the Code of Criminal Procedure of Texas, 1925; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 618, A bill to be entitled "An Act amending Article 660 and Article 661, Title 8, Chapter 5, Code of Criminal Procedure of Texas, 1925, repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 619, A bill to be entitled "An Act amending Article 658, Title 8, Chapter 5, Code of Criminal Procedure of Texas, 1925, as amended by Section 5, Chapter 43, Acts of the Regular Session, Forty-second Legislature; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 620, A bill to be entitled "An Act amending Article 774 of the Code of Criminal Procedure of Texas, 1925, and repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 621, A bill to be entitled "An Act amending Article 659, Title 8, Chapter 5, Code of Criminal Procedure of Texas, 1925; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 622, A bill to be entitled "An Act amending Articles 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, and 640, and repealing Article 641, Title 8, Chapter 4; repealing Articles 587 to 601, inclusive, Title 8, Chapter 2; repealing Articles 602 to 625, inclusive, Title 8, Chapter 3, of the Code of Criminal Procedure of Texas, 1925, together with all other laws and parts of laws

in conflict therewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Wise:

H. B. No. 623, A bill to be entitled "An Act to provide that in all criminal cases in the district and county courts of this State in which the defendant is convicted and desires to appeal, he shall, within two days after the verdict of guilty, file a motion for a new trial; providing that said motion may be amended during the term, at the discretion of the court, and that said motion shall be presented to and acted upon by the court before sentence, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Cooper, Mr. Jones of Wise, Mr. Knetsch, Mr. Roane, and Mr. Beck:

H. B. No. 624, A bill to be entitled "An Act to regulate and license persons engaged in the business or occupation of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside the limits of incorporated cities and towns within a distance of one-half mile of State designated highways; to provide for the securing and issuance of permits and fees therefor, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Worley, Mr. Bradford, Mr. Jones of Wise, Mr. Thornton, and Mr. Alexander:

H. B. No. 625, A bill to be entitled "An Act levying a ten per cent (10%) tax upon each individual, firm, club, copartnership, corporation, company, or association, which conducts any racing meet under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature, where an admission fee is charged or received; appropriating said tax to the Texas Relief Bond Sinking Fund, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bradford:

H. B. No. 626, A bill to be entitled "An Act creating the 'Workmen's Compensation Fund of the State Highway Department,' for the purpose of compensating employes of the State Highway Department for injuries received in the course of their employment; making an appropriation therefor; adopting provisions of Articles 8306, 8307, and 8309, Revised Statutes of Texas, 1925, and all amendments thereto for purposes of this Act, etc., and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Davison of Fisher (by request), Mr. Venable, Mr. Fain, Mr. Stovall, Mr. Lotief, and Mr. Westfall:

H. B. No. 627, A bill to be entitled "An Act to fix the tuition to be collected from students registering in the schools of collegiate rank supported in whole or in part by appropriation of public funds from the State Treasury; providing all tuition, local funds and fees be retained and expended by such institutions and accounted for annually as provided in the general appropriation bill, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves:

H. B. No. 628, A bill to be entitled "An Act to amend Articles 3369 and 3370 of the Revised Statutes of 1925, so as to add to paragraph two (2) of each article a proviso that in order to collect, settle, or dispose of a claim against the State, the United States, or any foreign government, letters testamentary or of administration or temporary letters may issue at any time where reasonable necessity is shown therefor, and declaring an emergency."

Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Howard:

H. J. R. No. 37, Proposing an amendment to Section 1 of Article

VIII of the Constitution of Texas, by adding thereto subsections to be known as Subsections 1-a and 1-b of Article VIII; Subsection 1-a providing for the exemption of three thousand dollars (\$3,000) of the assessed taxable value of all residence homesteads from all taxation of any nature whatsoever, etc.

Referred to Committee on Constitutional Amendments.

By Mr. Gray, Mr. Cagle, Mr. Fox, Mr. Farmer and Mr. Adkins:

H. J. R. No. 38, Proposing an amendment to Article IV, Section 11, of the Constitution of Texas, providing that in all criminal cases of felony grade, except treason and impeachment, the Governor shall have power, after conviction, and upon the recommendation and advice only of the Board of Pardons and Paroles, to grant reprieves, commutations of punishment and pardons, and under such rules as the Legislature may prescribe, he shall have power to remit fines and forfeitures, etc.

Referred to Committee on Constitutional Amendments.

By Mrs. Moore:

H. J. R. No. 39, Proposing an amendment to Section 15 of Article I of the Constitution of Texas, and providing that the Legislature may authorize the commitment of insane persons, idiots, lunatics and/or epileptics without the necessity of a trial by jury.

Referred to Committee on Constitutional Amendments.

By Mr. McConnell:

H. J. R. No. 40, Proposing an amendment to Section 2 of Article III of the Constitution of the State of Texas, providing that on and after the second Tuesday in January, A. D. 1939, the House of Representatives shall consist of 96 members, and shall never be increased above that number, and the Senate shall consist of 48 members, and shall never be increased above that number.

Referred to Committee on Constitutional Amendments.

By Mr. Reed of Bowie and Mr. Spears:

H. J. R. No. 41, Proposing an amendment to Section 1 of Article VIII of the Constitution of the State of Texas, providing that taxation of

real property shall be equal and uniform; and all property, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value as may be ascertained as provided by law, etc.

Referred to Committee on Constitutional Amendments.

BILLS RE-REFERRED

On motion of Mr. Reader, House Bill No. 464 was withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on Public Health.

On motion of Mr. McConnell, House Bill No. 582 was withdrawn from the Committee on Judiciary, and referred to the Committee on Criminal Jurisprudence.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following were authorized to sign bills, as follows:

Mr. Shofner: House Bills Nos. 66 and 67.

Mr. Davison of Fisher: House Bill No. 77.

Mr. Hunter: House Bills Nos. 5, 27, and 183.

Mr. Beck: House Bill No. 235.

MOTION TO PRINT

Mr. Patterson moved that House Bill No. 520, reported adversely, with a minority favorable report, be printed.

The motion was lost.

BILL ORDERED PRINTED

On motion of Mr. Lemens, House Bill No. 281, reported adversely, with a minority favorable report, was ordered printed.

RELATIVE TO CONSIDERATION OF RESOLUTIONS

On motion of Mr. Alexander, the House dispensed with the consideration of resolutions at this time.

MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, February 22, 1935.

To the Forty-fourth Legislature of Texas:

Gentlemen: I submit herewith for your consideration ten (10) proposed measures dealing with public works projects and procedure with reference to loans, grants, contracts, and other desirable proceedings, each of which proposed bill is self-explanatory.

During the past months many loans and grants on Texas projects have been closed by the Public Works Administration, and there are numerous projects now pending and in process of consummation.

The attached bills which are hereby submitted to you are measures which the Public Works Administration deem proper and necessary, and the Federal Administration has requested that they be enacted by this Legislature. The enactment of these measures will greatly facilitate, simplify, and clarify the Texas laws with reference to issuance of bonds which are self-liquidating, and the validating bills hereby submitted will cure any procedural defects which might have occurred by inadvertance or oversight in the issuance of any bonds heretofore issued or authorized and now in the hands of the Federal Government. I deem it of prime importance that these measures be promptly enacted as an evidence of co-operation upon the part of Texas with the Public Works Administration, and also to assist the municipal bodies of our State in securing and promptly closing the loans and grants made to them by the Federal Government.

An emergency exists and the prompt enactment of these laws is imperative. Your prompt action in this matter will be of untold benefit to the State as a whole.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

SENATE BILL NO. 90 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 90, A bill to be entitled "An Act providing for the issuance of three million five hundred thousand dollars (\$3,500,000) of Texas

Relief Bonds, Fourth Series, under Section 51a, of Article III, of the Constitution of Texas, and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Tennyson, amendment by Mr. Moffett to the committee amendment, and amendment by Mr. Farmer to the amendment by Mr. Moffett, pending.

Question recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—80

Adamson	James
Adkins	Jefferson
Aikin	Jones of Falls
Alexander	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bourne	Lanning
Bradbury	Latham
Broyles	Lemens
Burton	Lotief
Celaya	Lucas
Clayton	Mauritz
Collins	McConnell
Colquitt	McFarland
Colson	McKinney
Cowley	Moore
Craddock	Morrison
Dickison	Palmer
Dunlap of Hays	Payne
Duvall	Reader
England	Reed of Dallas
Fain	Roach of Hunt
Farmer	Roach of Angelina
Fisher	Roberts
Fitzwater	Rogers
Fuchs	Rutta
Gibson	Shofner
Glass	Spears
Greathouse	Steward
Hankamer	Stinson
Harris of Archer	Stovall
Harris of Dallas	Tarwater
Head	Tennyson
Herzik	Venable
Hodges	Walker
Hofheinz	Wells
Holland	Wood of Harrison
Hoskins	Wood of Montague
Huddleston	Worley
Jackson	Youngblood

Nays—26

Bergman	Ford
Butler of Brazos	Graves
Butler of Karnes	Hardin
Canon	Hartzog
Crossley	Howard

Hunt	McCalla
Hyder	Newton
Jones of Runnels	Padgett
King	Patterson
Knetsch	Reed of Bowie
Leath	Roane
Lindsey	Settle
Luker	Westfall

Absent

Alsup	Hill
Ash	Hunter
Bradford	Jones of Atascosa
Caldwell	Lange
Cooper	Leonard
Daniel	Morris
Davis	Morse
Davison of Fisher	Olsen
Davisson	Petsch
of Eastland	Pope
Dunagan	Riddle
Dunlap of Kleberg	Roark
Dwyer	Russell
Fox	Scarborough
Frazer	Stanfield
Good	Young

Absent—Excused

Cagle	Quinn
Calvert	Smith
Gray	Thornton
McKee	Tillery
Moffett	Waggoner
Nicholson	

Mr. Greathouse moved to table the amendment by Mr. Moffett.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—63

Adamson	Fain
Adkins	Fitzwater
Alexander	Frazer
Ash	Fuchs
Beck	Gibson
Broyles	Good
Burton	Greathouse
Butler of Brazos	Hardin
Butler of Karnes	Harris of Archer
Canon	Harris of Dallas
Celaya	Head
Colson	Hodges
Cooper	Hoskins
Cowley	Huddleston
Crossley	Hunter
Daniel	Jefferson
Davisson	Jones of Falls
of Eastland	King
Dickison	Knetsch
Dunlap of Hays	Lanning
England	Latham

Leath	Roberts
Lucas	Russell
Luker	Rutta
McConnell	Shofner
Newton	Stovall
Palmer	Venable
Pope	Wells
Reed of Bowie	Westfall
Reed of Dallas	Wood of Harrison
Roach of Hunt	Wood of Montague
Roane	Worley

Nays—49

Aikin	Keefe
Atchison	Lemens
Bergman	Lindsey
Bourne	Lotief
Bradbury	Mauritz
Clayton	McCalla
Collins	McFarland
Colquitt	McKinney
Craddock	Moore
Dunagan	Morrison
Duvall	Nicholson
Farmer	Olsen
Fisher	Padgett
Glass	Patterson
Graves	Reader
Hankamer	Roach of Angelina
Hartzog	Rogers
Hill	Settle
Holland	Steward
Hyder	Stinson
Jackson	Tarwater
Jones of Atascosa	Tennyson
Jones of Runnels	Walker
Jones of Shelby	Youngblood
Jones of Wise	

Present—Not Voting

Davison of Fisher

Absent

Alsup	Lange
Bradford	Leonard
Caldwell	Morris
Davis	Morse
Dunlap of Kleberg	Payne
Dwyer	Petsch
Ford	Riddle
Fox	Roark
Herzik	Scarborough
Hofheinz	Spears
Howard	Stanfield
Hunt	Young
James	

Absent—Excused

Cagle	Quinn
Calvert	Smith
Gray	Thornton
McKee	Tillery
Moffett	Waggoner

Mr. Reed of Bowie offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90, page 19, and lines 5 and 6, by striking out words and figures "four and a half per cent ($4\frac{1}{2}\%$)" and wherever they occur in the bill and inserting in lieu thereof the words and figures "four per cent (4%)."

Mr. Farmer offered the following substitute for the amendment by Mr. Reed of Bowie:

Amend committee amendment No. 1, page 19, lines 5 and 6, by striking out the words and figures "four and one-half per cent ($4\frac{1}{2}\%$)" and substitute therefor the words and figures "three and one-fourth per cent ($3\frac{1}{4}\%$)."

FARMER,
LUCAS.

The substitute amendment was lost.

Mr. Lotief offered the following substitute for the amendment by Mr. Reed of Bowie:

Substitute for amendment by striking out the words and figures "four and one-fourth per cent ($4\frac{1}{4}\%$)" and insert in lieu thereof the words and figures "three and one-half per cent ($3\frac{1}{2}\%$)."

The substitute amendment was lost.

Question recurring on the amendment by Mr. Reed of Bowie, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—86

Adamson	Dunagan
Adkins	Dunlap of Hays
Aikin	Dunlap of Kleberg
Alexander	Duvall
Ash	England
Atchison	Fain
Beck	Farmer
Bourne	Fisher
Bradbury	Fitzwater
Bradford	Ford
Broyles	Fox
Burton	Fuchs
Butler of Brazos	Glass
Butler of Karnes	Good
Canon	Graves
Celaya	Greathouse
Colson	Hardin
Cooper	Harris of Archer
Cowley	Harris of Dallas
Craddock	Hartzog
Crossley	Head
Daniel	Hodges
Davison of Fisher	Hunter
Davison	Jefferson
of Eastland	Jones of Atascosa

Jones of Falls	Patterson
Jones of Shelby	Payne
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
Knetsch	Roach of Hunt
Lanning	Roane
Latham	Roberts
Leath	Rutta
Lemens	Settle
Lotief	Shofner
Lucas	Stinson
Mauritz	Venable
McFarland	Wells
McKinney	Westfall
Moore	Wood of Harrison
Morrison	Wood of Montague
Newton	Worley
Nicholson	Youngblood
Padgett	

Nays—23

Alsup	Jones of Runnels
Clayton	Lindsey
Collins	McCalla
Colquitt	McConnell
Dickison	Palmer
Frazer	Rogers
Gibson	Scarborough
Hankamer	Steward
Hill	Stovall
Holland	Tennyson
Huddleston	Walker
Jackson	

Absent

Bergman	Morris
Caldwell	Morse
Davis	Olsen
Dwyer	Petsch
Herzik	Pope
Hofheinz	Reader
Hoskins	Riddle
Howard	Roach of Angelina
Hunt	Roark
Hyder	Russell
James	Spears
King	Stanfield
Lange	Tarwater
Leonard	Young
Luker	

Absent—Excused

Cagle	Quinn
Calvert	Smith
Gray	Thornton
McKee	Tillery
Moffett	Waggoner

Mr. Tennyson offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90 by striking out the figures "18" in Section 21, page 27.

The amendment was adopted.

Mr. Lindsey offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90, page 26, by striking out all of Section 17 and insert a new Section 17, which will read as follows:

"Section 17. That Section 32, Chapter 34, of the Acts of the Third Called Session of the Forty-third Legislature be, and the same is hereby, repealed."

The amendment was adopted.

Mr. Lanning offered the following amendment to the committee amendment:

Amend committee amendment by striking out Section 13 and insert in lieu thereof the following:

"Section 13. Each member of the Board of Control shall pay the employes herein provided for and heretofore provided for such funds or compensation not to exceed \$150 per month for any administrative officer or employe and may hire and discharge such members from time to time as they deem best for the interest of the people of the State."

Mr. Reader moved the previous question on the pending amendments, amendments on the Speaker's desk, and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Lanning, it was lost.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90, as follows:

Add at the end of line 16, on page 26, these words: "Provided, the Board of Control shall appoint in each county, where relief is administered, a grievance committee to be composed of three reputable citizens, whose duties shall be to hear and determine all grievances and shall make report to the Board of Control."

On motion of Mr. Morrison, Section 8, of Rule XIV, of the House Rules, was suspended, at this time, for the purpose of making the motion to reconsider the vote by which the main question was ordered on the pending amendments and the passage of Senate Bill No. 90 to third reading.

Mr. Aikin then moved to reconsider the vote by which the main question was ordered.

The motion to reconsider prevailed.

Question—Shall the amendment by Mr. Farmer be adopted?

ADJOURNMENT

On motion of Mrs. Moore, the House, at 12:15 o'clock p. m., adjourned until 10 o'clock a. m., Monday, February 25.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Conservation and Reclamation: House Bill No. 77.

Criminal Jurisprudence: House Bills Nos. 422 and 564.

Highways and Motor Traffic: House Bills Nos. 190, 270, 307, and 449.

Insurance: House Bills Nos. 305 and 454.

Judiciary: House Bills Nos. 206, 420, 448, 453, 468, and 511.

Oil, Gas, and Mining: House Bill No. 89.

State Affairs: House Concurrent Resolution No. 31; Senate Bill No. 146, and House Bills Nos. 286, 301, and 459.

TWENTY-EIGHTH DAY

(Monday, February 25, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Butler of Brazos
Adamson	Butler of Karnes
Aikin	Cagle
Alexander	Caldwell
Alsup	Canon
Ash	Celaya
Atchison	Clayton
Beck	Collins
Bergman	Colquitt
Bourne	Colson
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock
Burton	Crossley

Daniel	Lindsey
Davis	Lucas
Davison of Fisher	Luker
Davisson of Eastland	Mauritz
Dunagan	McCalla
Dunlap of Hays	McConnell
Dunlap of Kleberg	McFarland
Duvall	McKee
Dwyer	McKinney
England	Moffett
Fain	Moore
Farmer	Morris
Fisher	Morrison
Ford	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Padgett
Gibson	Palmer
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Pope
Greathouse	Quinn
Hankamer	Reader
Hardin	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Riddle
Hartzog	Roach of Angelina
Head	Roach of Hunt
Herzik	Roane
Hodges	Roark
Hofheinz	Roberts
Holland	Rogers
Howard	Russell
Huddleston	Rutta
Hunt	Scarborough
Hunter	Settle
Hyder	Shofner
Jackson	Smith
James	Spears
Jefferson	Stanfield
Jones of Atascosa	Steward
Jones of Falls	Stinson
Jones of Runnels	Stovall
Jones of Shelby	Tarwater
Jones of Wise	Tennyson
Keefe	Thornton
King	Venable
Knetsch	Waggoner
Lange	Walker
Lanning	Wells
Latham	Westfall
Leath	Wood of Montague
Lemens	Young
Leonard	Youngblood

Absent—Excused

Adkins	Lotief
Calvert	Olsen
Dickison	Tillery
Fitzwater	Wood of Harrison
Hill	Worley
Hoskins	

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation: